

New-York Daily Tribune

THURSDAY, MARCH 16, 1865.

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NEWS OF THE DAY.

THE WAR.

Jerome Clark, alias "Sue Munday," who, with other guerrillas, was captured a few days since in Kentucky, was tried at Louisville yesterday on the charges of murder, throwing a train off the track and robbing the passengers and mails. He was found guilty and sentenced to death by hanging. Gen. Palmer has approved the finding, and ordered that he be executed at 4 p. m. to-day at Louisville.

Secretary Seward yesterday issued a circular directing that all non-resident foreigners who have, or shall have been engaged in blockade-running, shall leave the country within twelve days or be arrested and detained in custody until the end of the war.

The draft took place in certain Districts in this city yesterday. Gov. Fenton and the general opinion to the contrary notwithstanding. There was not the slightest disturbance and scarcely any excitement.

Rumors prevailed yesterday in Washington that a fresh deputation of Peace Commissioners had reached City Point from Richmond. They are, as yet, without confirmation.

NEWS FROM EUROPE.

The steamship *Peruvian* from Liverpool, March 2, via London, arrived at Portland yesterday, bringing two days later news.

There was a decline in American securities, arising chiefly from the large supply of stock recently received from America. The foreign ambassadors, members of legations, etc., were received by Queen Victoria at Buckingham Palace. The Queen was to hold another court on the 13th inst.

Considerable sensation has been caused in England by the opening of the telegraph to India. A message from Kharach, India, had reached England in 24 hours.

A notification issued by the Cardinal Vicar of Rome, relative to the Jubilee, again points out the principles of liberty of conscience, liberty of the press, and popular sovereignty, as belonging among the most deplorable errors of the day.

The immense country of Central Asia extending from the sea of Aral to Lake Issyk-kul, has been formed into Russian provinces, under the title of Russian Turkistan.

GENERAL NEWS.

By the arrival of the *Ocean Queen* at this port we have dates from Panama, to March 7. The States of Central America continue to cut off all friendly and commercial relations with Costa Rica on account of that State affording an asylum to the Ex-President of Salvador, Gen. Barrios. The Peruvian Government have arrested Ex-President Castilla on the charge of attempting to get up a revolution. He has been sent out of the country, nobody knows where but it is supposed to China. The press of Chile laments the solution of the Peruvian question as derogatory to the honor of all Spanish America.

The Union State Convention of Rhode Island on Tuesday nominated Hon. James Y. Smith for reelection as Governor, and on Wednesday Jacob D. Dannel of Pawtucket, for Lieutenant-Governor. John B. Bartlett, for Secretary of State; Horatio Rogers, Jr., for Attorney-General, and Daniel A. Parker for General Treasurer.

The *Washington Chronicle* expresses the hope that those whose business will possibly admit of delay will refrain from visiting the President until he has had time to recover from the fatigue occasioned by recent severe pressure of official duties, which has caused his present illness.

An extensive fraud on the Government has just been discovered in Washington; some \$30,000 worth of transportation tickets having been purloined and sold by several of the employees.

At Providence, R. I., yesterday, Thomas A. Jencks was nominated in the Eastern and N. E. Dixon in the Western District for Representative in Congress by the Union District Conventions.

The Secretary of the Treasury has not yet determined whether to anticipate the payment of the May interest on the 5-20 Loan—a measure he is reported to have under consideration.

Recruiting is not suspended in consequence of the draft, but still proceeds. Nearly 100 men were obtained yesterday at the various offices.

The Canadian Parliament on Tuesday voted \$1,000,000 for permanent defense, also \$350,000 for expenses of volunteers on the frontier.

In all the townships and in many of the boroughs of Pennsylvania, the Spring elections occur on Friday of this week.

The New-Jersey Legislature yesterday elected John P. Stockton United States Senator, after two postponements.

There will be no more three-cent currency issued, as a new coin of that denomination is to take its place.

Sales of Seven-Thirties were made yesterday to the amount of \$5,064,000.

Two produce houses failed in Philadelphia yesterday.

Gold opened at 178½ yesterday, and was much excited all day, selling at one time as low as 174½. From this point it rallied to 178½, and closed at 179. Failures of bulls were announced. At the close the market was not strong, and another sharp turn down may come at any moment, as there is no use for gold winter, outside the circle of speculation. Gold bearing Government stocks lower under the decline in gold, and a disposition to exchange them for the 7-30 bonds. The 10-40s sold at 94½ freely. In State stocks and railway mortgages little done. Railway shares are all lower, and are sold quite freely. At the Second Board the market was stronger. Money is abundant on call at 7 per cent and at 6½ upon Government stocks. Commercial Paper is not wanted to the face of failure in various departments of trade. Exchange is dull and quoted nominally. Bankers' Sterling, 60 days, 104½; Bankers' Sterling, 3 days, 104½; Merchants' Sterling, 104½; Bankers' Sterling, 104½.

Last Evening—Stocks steady. Gold active and not very strong. Sales after call at 174½ and at close of report at 174½.

RHODE ISLAND has renominated, unheeding their personal reluctance, her late able and worthy representatives in Congress, THOMAS A. JENCKES and NATHAN F. DIXON. Their reelection by large majorities is, happily, not doubtful.

NEW-HAMPSHIRE adds little to her first night's report of the result of her recent Election, since that report left little to be added. Strafford County, complete, gives Gen. Marston for Congress, 2,929; Marcy (Opp.) 1,974; Sawyer (Union) 143; scattering G. Rockingham County

gives Sawyer some 200 votes. Marston's majority is ample; and the Unionists have it all their own way throughout.

Hon. JOHN P. STOCKTON was yesterday declared elected to the U. S. Senate for the full term just commenced, though we cannot make out that he was elected. The vote, as telegraphed to us, stands—

Stockton (Opp.)	40
Ten Eyck (Union)	37
Scattering	4
Necessarily to choose	41

As, however, it was long since settled by the Camden and Amboy managers that Stockton should be the Senator, we suppose he may be considered elected, no matter how the Legislature may have voted. We think Mr. Ten Eyck might have been chosen had he stood firmly and opposed throughout for the people against an anomaly.

SHERMAN.

Intelligence comes from Gen. Sherman, by way of Wilmington and Fortress Monroe, that he has reached Fayetteville, and is there halting to take breath for a fresh start. The date is March 11, which is three days later than when he reported himself at Laurel Hill, and as the distance between the two places is but about thirty miles—an easy three days march—we presume this latter account, though not official, is correct. At Fayetteville Gen. Sherman is, or ought to be, in direct communication with Wilmington via Cape Fear River, which is navigable at all seasons for steamers to that place. We venture to presume that Admiral Porter, or whoever he has left in charge, has before this time moved up to effect a junction with the land forces.

Something has been said about the arrival of Gen. Sherman's quartermaster at Wilmington, and it is declared that Wilmington is to be in future the "base" of Gen. Sherman's army. He has not thus far appeared to be in any particular need of such a convenience—whether to keep or to change—and though it will be easy for him to strike the coast at some point for purposes of supply and communication, we do not at all suppose he contemplates what would be practically a retrograde movement from Fayetteville to Wilmington. If the latter is in any sense to serve as a base it will be by way of the river. But Gen. Sherman's true base for pending operations is not Wilmington but Newbern, and the employment of that is contingent upon his junction with Gen. Schofield, at Kingston, at Goldsborough, or at Raleigh. We do not yet know enough of the position and movements of the enemy's main body to say which of those three places is most likely to witness the final concentration of forces on our side.

From Gen. Schofield we have news of the evacuation of Kingston by Bragg and its occupation by the advance of our troops. Bragg's "victory" on the 9th does not seem to have encouraged him very greatly. He will not fight for Kingston though he has a river to help him, and has gone back to Goldsborough—a place intrinsically more important to him, but which the presence of Sherman at Fayetteville will render it inconvenient for him long to hold.

THE SOUTH AFTER PEACE.

We who believe in an early and satisfactory peace within the reach of our Government, if proper means are persistently used to secure it, and who contemplate a speedy and general disarmament and return to the ways of industry and thrift as consequences of such pacification, are confronted by a new class of croakers—mainly of the Copperhead persuasion—whose doleful prognostications run thus:

The South will continue for years disaffected, sullen, vengeful: her disbanded soldiers will not return to the ways of peaceful industry, for many of them were never trained to those ways, but will form guerrilla bands, and hiding in mountains and forests, will disturb and harass the whole Southern country, obstructing industry, precluding security, and requiring extensive and costly armaments for a long time to come. Such is the substance of these gloomy vaticinations.

We dissent from them emphatically, and insist that they ignore the vital fact that the peasantry of the South, redeemed from Slavery by the War for the Union, will be enthusiastically and unchangeably loyal to the National authority. They will be stronger in fighting muscle than the sadly decimated Whites of the ex-slaveholding region, and they will instinctively recognize in every outlaw and guerrilla not only an enemy of their country and a despoiler of their industry but an implacable foe of their personal freedom. Every Rebel prowler or bandit will be regarded by the entire Black population of the South—a population considerably increased in numbers, but still more in energy and courage, by the return of fugitives from Canada and the North—as enemies to be exposed by hue-and-cry and hunted to extermination. Now, the maintenance of guerrilla warfare is only possible where the people are substantially unanimous and intensely devoted to the cause in whose behalf that warfare is waged. A guerrilla war for a cause execrated in every cottage and shanty of the country wherein it is waged is a suicidal absurdity.

But more: Guerrillas must have fastnesses wherein to baffle pursuit and defy assault; and these are confined to rugged, mountainous regions. But the mountainous districts of the South, being but nominally slaveholding, are not and never were Rebel. The Whites of East Tennessee, of western North Carolina, of West Virginia, of eastern Kentucky, of northern Alabama even, were against Secession at the outset, and have never been over to the Confederacy. Some of them were for a season, by frauds and falsehood; but the great majority have always been true to the old flag. We presume this is measurably true of the mountain district of South Carolina also, as we know it was in the days of Nullification. But, if we suppose this State to form an exception, it still remains demonstrably true that the maintenance of a guerrilla warfare in the interest or with the forces of the Rebellion will be impossible, after the Confederacy shall have ceased to exist as a power.

There is a prevalent and resistless tendency of young men to our great cities, especially to this one. Perhaps they ought to like the country better; but that does not dispose of the fact that too many of them do not. There is scarcely an inland city or village in the Union or in the British Provinces whereof at least half the young, unmarried mechanics would not like—other things being equal—to spend two or three years as Journeymen in this City. Nay: they would willingly work a little harder and make a little less here if only thus could they achieve their hearts' desire in making the personal acquaintance of the amusements and excitements of the great American Emporium.

Now we hold that this tendency, while it exists, will make itself respected in wages as in other respects. So long as many if not most young American mechanics desire to spend a year or more in our City, a large number will be found willing to work here for less recompense—all things considered—than they could secure elsewhere; and there will usually be a surplus of mechanics tending hither, living here, and seeking to remain. And, in view of this tendency, we do not see how wages are to be maintained at a high standard unless there shall be a constant tendency from the City of married journeymen to balance that of single men to the City. In other words: we do not believe any such price as \$3½ for ten hours' labor as a journeyman carpenter can be maintained here unless the migration of journeymen carpenters home can be very largely accelerated.

THE NEW BRITISH ENVOY.

That "a saint in a crape is twice a saint in lawn," we have all been taught to believe, without exactly seeing why; but a leading Democratic oracle quite runs the principle into the ground when it gravely insists that Great Britain has failed to do the handsome thing by us, after we have been honored by her with two Lords in succession as her Embassadors, in now sending us a simple Baronet! As it will be difficult to believe that such lunacy was ever exhibited in a pretentious journal, we will quote its exact words:

ABOUT STRIKES.

The premium on Gold tends steadily downward with the prospects and hopes of the Slaveholders' Rebellion, and our markets for food, fabrics and almost everything else, sympathetic therewith by an irresistible law. Of course, speculative holders resist this tendency with desperate, frantic energy; but, while they postpone, they cannot prevent the inevitable consummation. You may say, as you choose, either that the bushel of wheat or yard of cloth is worth less than it was, or that the greenback dollar is worth more: the difference is only that between six and half a dozen. Were the Rebellion dead to-day, it would not be possible to keep for a month the premium on Gold up to 50, and we doubt whether it would range above 30. And Flour, Coal, Meat, Tea, Sugar, Coffee, Shirts, Cassimere, Calico, Flannels, &c., &c., are bound to come down in price as the Currency approaches the specie standard. There may be partial, local, temporary contractions of this law, but they are only the exceptions which prove the rule. Gold is the world's standard of value, to which all prices are constrained, sooner or later, to conform.

Yet at this moment, when Currency is worth twenty-five per cent. more than it was a few months since, and likely to be still further and more considerably appreciated very soon—when the great speculators in Grain, Beef, Flour, Pork, Butter, Cheese, &c., &c., are shivering on the brink of insolvency as they pace in agony the floors of their vast, over-filled warehouses—the Landlords of our City have struck for an addition of fifteen to forty per cent. to their annual charges for the use of buildings and apartments, and the Journeymen Carpenters are striking for an augmentation of their wages from \$3 to \$3½ per day.

These two strikes are the complement of each other. The Journeymen say they must have higher wages because rents, &c., are so high; the Landlords insist on higher rents because more houses are wanted, and the cost of building new ones is so great. The circle, though vicious, is complete: Man can hardly fight against it, though events may. So long as the Landlords refrain from breaking the heads of those who refuse to take houses or rooms at their exorbitant rates, and so long as Carpenters evince a like forbearance toward those who choose to work for lower wages than the "strike" insists on, they have the law on their side. If you don't want Mr. Astor's house or Mr. Jackson's labor on the terms he proposes, you are welcome to go without: there is the Park to sleep in till the police rout you out, and there are a good many trees in John Brown's tract or on the rugged Pike County hills, under which you may sleep undisturbed by aught more annoying than tempests or wolves. Such are the inestimable privileges attached to living in a free country.

These strikes are godsend to property-holders in our suburban villages. Thousands are being ejected from our City by the moral impossibility of longer living in it on the gains of a laborer or small shop-keeper; raising wages scarcely mitigates the urgency of the decree. Yet a little while, and everything that can be done out of the City will be: all wearing apparel will be made there; all books will be printed there; even ship-building and the manufacture of steam and all other machinery will have to go. Already, Bridgeport, Paterson, Newark, Poughkeepsie, Newburgh, and scores of minor villages, are growing rapidly—as Newark did long ago, and New-Haven at a later day—on business virtually expelled from New-York by the large cost of living here.

This tendency is not, in the larger view, to be deprecated, though it must interfere with the sanguine calculations of lot-owners who fancy that the whole area of our City will be compactly built up within a very few years. If the urban industry stimulated by the trade of our City were all prosecuted within her limits, she would have a population this day of Two to Three Millions. But it is preferable that the artisans and artificers who keep our traders supplied with their infinity of home-made wares and fabrics should be scattered over an area of ten thousand square miles rather than huddled within one of a hundred only. The married mechanic or artisan may better live in one of the adjacent cities or villages, where a walk of ten minutes will take him into the open country, and one of ten more into a quiet wood or grove, than to rear his children where they can scarcely see a brook or a forest from January to December. Hence, we do not regret the diffusion of population which our house-owners and house-builders seem conspiring to accelerate.

And yet we cannot resist the conviction that they are rushing matters faster than is natural or wholesome—that they might wisely and prudently have been more moderate. Let us briefly say why we think the Journeymen have outrun the scent in their keen quest of what they deem living wages:

There is a prevalent and resistless tendency of young men to our great cities, especially to this one. Perhaps they ought to like the country better; but that does not dispose of the fact that too many of them do not. There is scarcely an inland city or village in the Union or in the British Provinces whereof at least half the young, unmarried mechanics would not like—other things being equal—to spend two or three years as Journeymen in this City. Nay: they would willingly work a little harder and make a little less here if only thus could they achieve their hearts' desire in making the personal acquaintance of the amusements and excitements of the great American Emporium.

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"Instead of a Lord, the British Government sends us a simple Baronet. . . . We dare say Canada would not feel complimented, in case Lord Monck should be compelled by ill-health to retire, if a simple Baronet were appointed to succeed him in the Governor-Generalship. France would probably consider it as an affront to her dignity if the British Embassy at Paris were staffed by a respectable gentleman of the rank of Sir E. Bruce. At the Queen will raise Sir Frederick to the peerage before setting on her crown, will recognize the compliment, but it looks a little too insolent to ask us to be grateful for Sir E. Bruce after we have had Lord Napier and Lord Lyons."

Now, we had not supposed that there was anything to be "grateful" for in the sending of an ambassador, of whatever rank. We have always understood that such functionary was sent in the interest of the country he represents, not as a favor to the government to which he is accredited. If Great Britain (or any other nation) has no use for a Minister at Washington, we beg her to send none on our account. Switzerland sends none, yet is our steadfast friend and ally; Great Britain usually has an envoy at Washington, yet has not always been so amiable to us as she might be. But, whenever she sends fit to send us a Minister, we beg her to suit herself in his selection and she can hardly fail to suit us; and, at all events, never to imagine that we care a button whether he is styled "Lord," or "Sir," or plain "Mr." The difference may be a pretiable in her eyes, but it certainly is not in ours. If, indeed, she should at some time see fit to send us plain John Bright, we should be gratified—not because he is simply "Mr.," but because we have reason to esteem and admire the man. If she choose meantime to dub him Lord Bright, and can make the title stick, he will still be welcome, though we should like him a shade better as he is. Had she sent us Mr. Fox or Mr. Burke in their day, we should have welcomed him right heartily just as we were, prizing him far above any Duke or Earl whom she could have commissioned instead. If there be Americans so snobbish that they would prefer any Lord in the three kingdoms as their Queen's Ambassador among us to Mr. John Bright or Mr. Richard Cobden, they form a minority of our countrymen too paltry to be counted or estimated.

HOW AND WHAT TO TAX.

To the Editor of THE N. Y. T.:

SIR: Will you be kind enough to explain why it would not be better to tax property-holders according to their valuation than their income, to meet and pay off the war debt?

Very many wealthy property-holders have retired from business and locked up their money, to avoid an Income Tax, and pay no war tax at all, while many young and enterprising men, who have commenced in business, in order for their property, with small capital, are paying heavier taxes than those retired men of means. If it is right to raise Town, County and State taxes according to valuation, why not any other tax? and tax men of property according to their occupation? Very truly yours, H. M. K.

Answer.—We have no special affection for an Income Tax, especially since it happens to hit us a little harder than a tax on property could. But our correspondent seems to us to answer his own question in stating that all State, County and Town taxes are levied on property regardless of income. It strikes us that there is a substantial reason for making one tax bear on income; otherwise, some men who make large sums, but spend as they go, would pay scarcely anything, leaving the whole burden to fall on the frugal and saving. We do not think this expedient or just.

As a rule, every one seems trying to have taxes so levied that they shall fall mainly on others. We have no particular theory on the subject, but see little chance to adjust and apportion the public burden much better than as it is.—[Ed.]

GOLD AND SILVER MINING.

The recent lecture of Prof. Silliman in this city on the resources of our Pacific States was rich in facts that deserve public notice. Fresh from his tour of that marvelous region, whither he went with the purpose of applying to its promises the severe measurement of a science in which he is an acknowledged master, he is enabled to speak with the positiveness justified by deliberate personal examination; and in the two hours which he spent with his audience in Cooper Institute were compacted the results of his investigation, demonstrated by the inexorable logic of chemistry, and illustrated by such scientific rhetoric as made his statements at once brilliant, clear and convincing.

According to the conclusions of the Professor, California is just entering on a new era of gold-mining to which all her past history is simply preparatory and trivial. With the knowledge and discipline already gained by her hardy children, and the accumulation of capital necessary to the use of adequate machinery, she is commencing a work of development to which no limit can be foreseen. As to the reliability of her mines, he considers them practically inexhaustible.

Nor are his opinions less positive in regard to the silver mines of Nevada. If the Pacific aspect of the mountains is prodigal in treasures of gold, not less profuse are the silver lodes with which the eastern slopes seem literally emboweled. Nevada, of course, is greatly poorer in both experience and capital than her elder sister beyond the Sierra; but the early days of California were not more remarkable for their results than hers have been since the discoveries of the silver mines of Washoe. In less than six years, Virginia City, springing into existence amid a wilderness of hills, thousands of feet above the level of the sea, has grown into a well built city of twenty thousand people; and Anstint, the chief town of the more lately occupied but still richer Reese River country, has within two years aggregated a population of 6,000. The export of bullion from this youngest of the States was last year equal to \$16,000,000; and it seems to be certain that the production of the precious metals can only be limited by the amount of machinery and labor which the enterprise and capital of the East can be encouraged to supply.

On another vital point, the testimony of the Professor is equally clear: namely, the profits accruing to capital from the employment in this business of adequate machinery and skilled labor. Under faithful and intelligent direction, it does not appear that any branch of industry is more certain than this to render large and steady returns.

The suggestions inspired by these facts possess a National gravity. The enormous waste of our war is straining our financial system to the limit of endurance; and the close of the struggle, now seemingly not remote, will witness an appalling accumulation of national indebtedness. The interest of this is mostly payable in coin; and, were it not, the credit of the country and the welfare of the people require the speedy appreciation of our currency to the gold standard. In this light, the existence on our own soil of these immense deposits of gold and silver becomes a fact of the very first importance.

The subject is much broader than appears at first glance. With peace, will come the disbanding of the hostile armies and the disuse of the products needed in warfare, necessitating convulsions in the industry of the country, and the temporary idleness of tens of thousands of soldiers and operatives, to whom the war now gives employment. For this critical evil, some would seek a remedy in a foreign war, and continue the present system by the reorganization of our disbanded legions into an army for the conquest of Mexico or Canada. This plan, cold-blooded, unchristian and demoralizing, is forbidden not less by the principles of genuine republican statesmanship than by those of common humanity. Far wiser would it be in every sense for the discharged veterans of the Union and the Confederacy, who have no farms or workshops to welcome their return to peaceful pursuits, or whose adventurous habits incapacitate them for the more quiet labors of industry, to employ their restless energies in the attractive fields of the West, and, in the fraternalization of the mine, to forget the animosities engendered by conflict. In this way also will the existing industry of the country escape its rudest shock. Let the establishments which now create cannon, and muskets, and monitors, and engines of war, change to the manufacture of the machinery needed in mining; and let the looms and mills run in the interest of productive industry, instead of clothing an army of invasion. Though, ordinarily, the production of the precious metals is not to be encouraged as the most useful of occupations, yet, under the circumstances which now surround us as a people, it offers an alternative so superior in every sense to that of a filibustering appendix to the Rebellion, and one capable of breaking the shock of a sudden peace, of so mitigating the sufferings caused by a financial crisis, and of so strengthening the credit of the Nation and reducing the popular burden, that we regard the question of scientific mining, in which shall be employed capital in plenty, invested according to the safest principles of art, as one which should in due time occupy the attention of both capitalists and politicians.

It is not our design in this article to render any aid to the swarms of kite-flyers who will necessarily infest every field of lucrative enterprise. That rogues will rush in with bogus schemes for the robbery of the public is inevitable. But this will be only an additional evidence of the value of the industry which they seek dishonestly to use, and it should deter nobody of sense from a careful and thorough investigation of the facts. No man who is fit to have money will invest it in a company which he does not know to possess a substantial basis; and, if he is victimized, it is the fault in great part of his own stupidity.

As a means of public information, we think it would be well for Prof. Silliman to repeat his valuable lecture, with such an advertisement as will give him an audience worthy of the theme and of his own learning and reputation.

FROM NEW-JERSEY.

Election of United States Senator.

Special Dispatch to THE N. Y. Tribune.

THRENTON, N. J., Wednesday, March 15, 1865.

The Camden and Amboy Monopoly succeeded to-day, after three postponings, in electing John W. Wright United States Senator. The Hon. William Wright and Commodore Stockton were present. There is no rejoicing over this result.

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FROM GENERAL SHERMAN

His Resistless March Northward.

HE OCCUPIES FAYETTEVILLE, N. C.

HIS TROOPS RESTING.

NEWBERN, N. C., March 12, 1865.

Gen. Sherman has opened communication with Wilmington from Fayetteville. He sends word that he is all right and unharmed. We expect to hear some gratifying news of him in a few days.

SECOND DISPATCH.

FORTRESS MONROE, Tuesday, March 14, 1865.

The steamer *Champion* arrived here this morning from Wilmington.

She left Wilmington on the 11th inst., bringing the first definite intelligence respecting the movements of Gen. Sherman and his forces.

On the morning of the 11th inst., scouts from Gen. Sherman reached Wilmington, with the news that his army had reached Fayetteville, N. C., and were encamped in its immediate vicinity, quietly resting, preparatory to another march northward.

A PROCLAMATION.

A Warning to Non-Residents—Runners and Others.

DEPT. OF STATE, WASHINGTON, March 14, 1865.

The President directs that all persons who now are, or hereafter shall be, found within the United States, and who have been engaged in holding intercourse or trade with the insurgents by sea, if they are citizens of the United States or domiciled aliens, be arrested and held as prisoners of war, until the war shall close, subject, nevertheless, to prosecution, trial and conviction for any offense committed by them as spies or otherwise against the laws